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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/586,995	08/20/2008	Jussi-Pekka Tervaluoto	915-007.198	9068

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EXAMINER
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AKINYEMI, AJIBOLA A

ART UNIT	PAPER NUMBER
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2618

MAIL DATE	DELIVERY MODE
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07/19/2010

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b> 10/586,995	<b>Applicant(s)</b> TERVALUOTO ET AL.	
	<b>Examiner</b> AJIBOLA AKINYEMI	<b>Art Unit</b> 2618	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 30 April 2010.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-12 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1,2 and 4-12 is/are rejected.
- 7) ☒ Claim(s) 3 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 21 July 2006 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                                | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftperson's Patent Drawing Review (PTO-948)                        | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## DETAILED ACTION

### ***Claim Rejections - 35 USC § 103***

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

3. Claims 1, 4-12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Admitted prior art henceforth "Admission" and further in view of Darabl (Patent No.: US 6889037B2).

#### With respect to claim 1:

Admission discloses a mixer circuit comprising a down-conversion mixing component (fig.2, item 23) arranged for down-converting an input radio frequency signal (RF IN) and an active mixer load circuit connected to output terminals of said down-conversion mixing component (fig. 2, item 24). Admission did not explicitly disclose active mixer load circuit to include mixer load and modulator arranged for modulating a flicker noise produced by said active mixer load away from the signal band of a signal output by said

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down-conversion mixing component. Darabl discloses this limitation (col.2, lines 26- col.3, lines 13). It would have been obvious to one of ordinary skill in the art at the time the invention was made to have the above limitation in order to increase the receiver's voltage gain and to reduce or eliminate the flicker noise.

With respect to claim 2:

Darabl discloses a mixer wherein said modulator includes plurality of switching element (col.2, lines 26-45).

With respect to claim 4:

Admission discloses a Mixer circuit wherein said down-conversion mixing component (fig.2, item 23) is adapted to down-convert radio frequency current mode signals (parag.0016).

With respect to claim 5:

Admission discloses a Mixer circuit wherein said down-conversion mixing component (fig.2, item 23) is adapted to down-convert radio frequency voltage mode signals (fig.2, Urf+ and Urf- is being down-converted by item 23).

With respect to claim 6:

Admission discloses a receiver circuit for receiving radio frequency signals and for providing corresponding down-converted signals, which receiver circuit comprises a mixer circuit (fig.2, item 23) according to claim 1.

With respect to claim 7:

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Admission discloses a receiver circuit wherein at least said mixing circuit (fig.1, item 12) and at least one component of said receiver circuit (fig.1, item 15) arranged for processing digital baseband signals are integrated in a single chip.

With respect to claim 8:

Admission discloses a chip comprising a mixer circuit (fig.2, item23) according to claim1

With respect to claim 9:

Admission discloses a chip wherein said mixer circuit is implemented on a said chip with a deep sub-micron semiconductor technology (parag.0014).

With respect to claim 10:

Admission discloses an apparatus comprising a mixer circuit (fig.2, item23) according to claim1.

With respect to claim 11:

Admission discloses a method for use in a mixer circuit comprising a down-conversion mixing component (fig.2, item 23) and an active mixer load circuit (fig.2, item 24) said method comprising: down-converting a received radio frequency signal by means of said down-conversion mixing component (fig.2, item 23); controlling an output voltage of said down-conversion mixing component by means of an active mixer load of said active mixer load circuit (fig.2, item 24). Admission did not disclose modulating a flicker noise produced by said active mixer load away from a signal band of said down-converted radio frequency signal. Darabl discloses this limitation (col.2, lines 26- col.3, lines 13). It would have been obvious to one of ordinary skill in the art at

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the time the invention was made to have the above limitation in order to increase the receiver's voltage gain and to reduce or eliminate the flicker noise.

With respect to claim 12:

Admission discloses an apparatus comprising: means for down-converting an input radio frequency signal (fig.2, item 23); and active mixer load means (fig.2, item 24).

Admission did not disclose modulating means connected to output terminals of said means for down-converting for modulating a flicker noise produced by said active mixer load means away from a signal band of a signal output by said means for down-converting. Darabl discloses this limitation (col.2, lines 26- col.3, lines 13). It would have been obvious to one of ordinary skill in the art at the time the invention was made to have the above limitation in order to increase the receiver's voltage gain and to reduce or eliminate the flicker noise.

***Allowable Subject Matter***

4. Claim 3 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

***Response to Arguments***

5. Applicant's arguments filed 04/30/2010 have been fully considered but they are not persuasive. Regarding claims 1, 11 and 12, applicant argued that Admission did not

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disclose active mixer load and a modulator arranged for modulating a flicker noise produced by said active mixer load away from a signal band of a signal output by down-conversion mixing component. Examiner respectfully disagrees with this statement because Admission discloses an active mixer load (fig.2, item 24 which examiner strongly believe is the same as in claimed invention and Darabl discloses modulating a flicker noise produced by said active mixer load away from a signal band of a signal output by down-conversion mixing component (col.2, lines 26-col.3, lines 13).

### ***Conclusion***

6. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to AJIBOLA AKINYEMI whose telephone number is (571)270-1846. The examiner can normally be reached on monday- friday (8.30-5pm) Est.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, YUWEN PAN can be reached on (571) 272-7855. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

AA

/Duc Nguyen/

Supervisory Patent Examiner, Art Unit 2618